

**PROFESSIONAL LICENSURE DIVISION[645]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 147.76, the Board of Behavioral Science hereby gives Notice of Intended Action to amend Chapter 31, “Licensure of Marital and Family Therapists and Mental Health Counselors,” and Chapter 32, “Continuing Education for Marital and Family Therapists and Mental Health Counselors,” Iowa Administrative Code.

These proposed amendments revise outdated language, revise the definitions, revise examination requirements, establish requirements for applicants taking the examination prior to graduation, revise the requirements for supervision electronically and by telephone, make the date for applicants who graduate from an accredited program and a nonaccredited program consistent, define requirements for a licensee who serves as a supervisor for temporary licensure, require that a licensee who serves as a supervisor to complete coursework in counseling supervision, and establish continuing education requirements for persons serving in a supervisory role.

Any interested person may make written comments on the proposed amendments no later than October 18, 2016, addressed to Judy Manning, Professional Licensure Bureau, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; e-mail [judith.manning@idph.iowa.gov](mailto:judith.manning@idph.iowa.gov).

A public hearing will be held October 18, 2016, from 8 to 8:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 147.3, 147.10, 147.55, 154D.2, and 154D.7

The following amendments are proposed.

ITEM 1. Amend rule **645—31.1(154D)**, definition of “Reciprocal license,” as follows:

“*Reciprocal license*” means the issuance of an Iowa license to practice mental health counseling or marital and family therapy to an applicant who is currently licensed in another state which has ~~a mutual agreement with the Iowa board of behavioral science to license persons who have~~ the same or similar qualifications to those required in Iowa.

ITEM 2. Rescind the definition of “CRCC” in rule **645—31.1(154D)**.

ITEM 3. Amend subrule 31.2(1) as follows:

**31.2(1)** The applicant shall complete a board-approved application. Application forms may be obtained from the board’s Web site (~~<http://www.idph.state.ia.us/licensure>~~) (<https://www.idph.iowa.gov/licensure>) or directly from the board office, or the applicant may complete the application online at <https://ibplicense.iowa.gov>. All paper applications shall be sent to the Board of Behavioral Science, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

ITEM 4. Amend subrule 31.2(7) as follows:

**31.2(7)** The candidate for temporary licensure for the purpose of fulfilling the postgraduate supervised clinical experience requirement must submit the Supervised Clinical Experience: Approval and Attestation form to the board and receive approval of the ~~candidate's~~ candidate’s supervisor(s)

prior to licensure. The temporary licensee must notify the board immediately in writing of any proposed change in supervisor(s) and obtain approval of any change in supervisor(s). Within 30 days of completion of the supervised clinical experience, the attestation of the completed supervised experience must be submitted to the board office. The temporary licensee shall remain under supervision until a permanent license is issued.

ITEM 5. Amend paragraph **31.3(1)“b”** as follows:

b. For a mental health counselor license shall take and pass the National Counselor Examination of the NBCC, or the National Clinical Mental Health Counselor Examination of the NBCC, ~~or the Certified Rehabilitation Counselor Examination of the CRCC.~~

ITEM 6. Adopt the following new subrule 31.3(6):

**31.3(6)** An applicant who is requesting approval to take the licensure examination prior to graduation shall:

a. Apply for licensure by creating an account and paying online at <https://ibplicense.iowa.gov> or by completing and returning a paper application with a check or money order payable to the Board of Behavioral Science.

b. Have a letter on official school letterhead sent directly from the program director to the board indicating that the applicant is in good academic standing; that the applicant will graduate from the program within three months of the date on the letter; and the applicant’s anticipated date of graduation.

ITEM 7. Amend subrule 31.4(2) as follows:

**31.4(2) Content-equivalent program.** Applicants must present an official transcript verifying completion of a master’s degree of 60 semester hours (or 80 quarter hours or equivalent) or a doctoral degree in a ~~mental health~~ marital and family therapy, behavioral science, or a counseling-related field from a college or university accredited by an agency recognized by the United States Department of Education, which is content-equivalent to a graduate degree in marital and family therapy. Applicants who entered a program of study prior to July 1, 2010, must present with the application an official transcript verifying completion of a master’s degree of 45 semester hours or the equivalent. ~~After March 31, 2009, graduates~~ Graduates from non-COAMFTE-accredited marital and family therapy programs shall provide an equivalency evaluation of ~~their~~ the graduates’ educational credentials by the Center for Credentialing and Education, Inc. (CCE), Web site <http://cce-global.org>. The professional curriculum must be equivalent to that stated in these rules. Applicants shall bear the expense of the curriculum evaluation. In order to qualify as a “content-equivalent” degree, a graduate transcript must document:

a. to c. No change.

ITEM 8. Amend paragraph **31.5(1)“d”** as follows:

d. Include a minimum of 25 percent of all clinical supervision in person. ~~Up to 75 percent of all supervision may be completed by electronic means with no more than 50 percent completed by telephone. Supervision by electronic means is acceptable if:~~

(1) The first two meetings ~~are~~ shall be face-to-face and in person; ~~and.~~

(2) Up to 50 percent of all supervision may be completed by telephone.

(3) Up to 75 percent of all supervision may be completed by electronic means.

~~(2) (4) The Supervision by electronic means is acceptable if the system utilized is a confidential, interactive, secure, real-time system that provides for visual and audio interaction between the licensee and the supervisor.~~

ITEM 9. Adopt the following new paragraphs **31.5(2)“c”** and **“d”**:

c. Effective October 1, 2020, the supervisor shall:

(1) Be an Iowa-licensed marital and family therapist with a minimum of three years of clinical experience following licensure or shall be a supervisor or supervisor candidate approved by the American Association for Marriage and Family Therapy Commission on Supervision; or

(2) Be an Iowa-licensed mental health counselor in Iowa with at least three years of clinical experience following licensure or shall be approved by the National Board for Certified Counselors (NBCC) as a supervisor; and

- (3) Have completed at least a six-hour continuing education course in counseling supervision or one master's level course in counseling supervision; and
- (4) Meet a minimum of four hours per month with the supervisee; and
- (5) Provide training that is appropriate to the functions to be performed; and
- (6) Ensure that therapeutic work is completed under the professional supervision of a supervisor; and
- (7) Not supervise any marital and family therapy or permit the supervisee to engage in any therapy that the supervisor cannot perform competently.

*d.* Exceptions to paragraph 31.5(2)“*c*” shall be made on an individual basis. Requests for alternative supervisors must be submitted in writing, and the board must approve the supervisor prior to commencement of the supervision.

ITEM 10. Amend subrule 31.6(1) as follows:

**31.6(1) Accredited program.** Applicants must present with the application an official transcript verifying completion of a master's degree of 60 semester hours (or equivalent quarter hours) or a doctoral degree in counseling with emphasis in mental health counseling from a mental health counseling program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP) from a college or university accredited by an agency recognized by the United States Department of Education. Applicants who entered a program of study prior to July 1, ~~2010~~ 2012, must present with the application an official transcript verifying completion of a ~~master's~~ master's degree of 45 semester hours or the equivalent; or

ITEM 11. Amend paragraph **31.7(1)“d”** as follows:

*d.* Include a minimum of 25 percent of all clinical supervision in person. ~~Up to 75 percent of all supervision may be completed by electronic means with no more than 50 percent completed by telephone. Supervision by electronic means is acceptable if:~~

- (1) ~~The first two meetings are~~ shall be face-to-face and in person; ~~and~~
- (2) Up to 50 percent of all supervision may be completed by telephone.
- (3) Up to 75 percent of all supervision may be completed by electronic means.

~~(2) (4) The Supervision by electronic means is acceptable if the system utilized is a confidential, interactive, secure, real-time system that provides for visual and audio interaction between the licensee and the supervisor.~~

ITEM 12. Adopt the following new paragraphs **31.7(2)“c”** and **“d”**:

*c.* Effective October 1, 2020, the supervisor shall:

- (1) Be an Iowa-licensed mental health counselor in Iowa with at least three years of clinical experience following licensure or shall be approved by the National Board for Certified Counselors (NBCC) as a supervisor; or
- (2) Be an Iowa-licensed marital and family therapist with a minimum of three years of clinical experience following licensure or shall be a supervisor or supervisor candidate approved by the American Association for Marriage and Family Therapy Commission on Supervision; and
- (3) Have completed at least a six-hour continuing education course in counseling supervision or one master's level course in counseling supervision; and
- (4) Meet a minimum of four hours per month with the supervisee; and
- (5) Provide training that is appropriate to the functions to be performed; and
- (6) Ensure that therapeutic work is completed under the professional supervision of a supervisor; and
- (7) Not supervise any mental health counselor or permit the supervisee to engage in any therapy that the supervisor cannot perform competently.

*d.* Exceptions to paragraph 31.7(2)“*c*” shall be made on an individual basis. Requests for alternative supervisors must be submitted in writing, and the board must approve the supervisor prior to commencement of the supervision.

ITEM 13. Amend paragraph **31.8(1)“d”** as follows:

*d.* Provides official transcripts sent directly from the school to the board verifying completion of a master’s degree of 45 hours or equivalent if the applicant entered a program of study prior to July 1, ~~2010~~ 2012, or verifying completion of a master’s degree of 60 hours or equivalent if the applicant entered a program of study on or after July 1, ~~2010~~ 2012, or the appropriate doctoral degree. ~~After March 31, 2009, graduates~~ Graduates from a non-CACREP-accredited mental health counselor program or a non-COAMFTE-accredited marital and family therapy program shall provide an equivalency evaluation of their educational credentials by the Center for Credentialing and Education, Inc. (CCE), Web site <http://cce-global.org>. The professional curriculum must be equivalent to that stated in these rules. Applicants shall bear the expense of the curriculum evaluation;

ITEM 14. Amend paragraph **31.8(2)“c”** as follows:

*c.* The applicant possesses a master’s degree or higher in mental health counseling or marital and family therapy or an equivalent counseling-related field; and

ITEM 15. Amend subparagraph **32.3(2)“c”(4)** as follows:

(4) Distance learning conferences or courses will be allowed if the following criteria are met:

1. The program is offered through electronic transmission ~~such as the Iowa Communications Network (ICN).~~
2. and 3. No change.

ITEM 16. Amend subparagraph **32.3(2)“c”(5)** as follows:

(5) Home study courses will be allowed if the following criteria are met:

1. The program is recognized by the National Board for Certified Counselors (NBCC), ~~Commission on Rehabilitation Counselor Certification (CRCC),~~ or American Association of Marriage and Family Therapy (AAMFT) or meets all of the criteria in 645—32.3(272C).
2. No change.

ITEM 17. Amend subparagraph **32.3(2)“c”(7)** as follows:

(7) Computer-assisted instructional courses or programs pertaining to the practice of mental health counseling or marital and family therapy will be allowed if the following criteria are met:

1. The courses and programs are approved by the National Board for Certified Counselors (NBCC), ~~Commission on Rehabilitation Counselor Certification (CRCC),~~ or American Association of Marriage and Family Therapy (AAMFT) or their affiliates or meet all of the criteria in 645—32.3(272C).
2. An official transcript, certificate of completion, or verification that includes the following information is presented after successful completion of the course:

- Date course/program was completed.
- Title of the course/program.
- Number of course/program continuing education hours.
- Official signature or verification of the course/program sponsor.

ITEM 18. Amend subrule 32.3(3) as follows:

**32.3(3) Required specific criteria-:**

- a.* Three hours of the 40 continuing education hours shall be in ethics.
- b.* Effective with the biennial continuing education compliance period that begins October 1, 2022, persons serving in a supervisory role must complete three hours of continuing education in supervision.